

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANTONIO BELK, VICTOR THOMAS,
CYNTHIA CHUBB, CARMEN
CONSOLINO, ANDRES GARCIA and
ARETHA GERMANY,

Plaintiffs,

v.

THOMAS J. DART, in his individual capacity
and official capacity as Sheriff of Cook
County, Illinois, ZELDA WHITTTLER, in her
official and individual capacities, and the
COUNTY OF COOK, a unit of local
government as joint employer,

Defendants.

Case No. 17-cv-09011

Honorable Judge Robert M. Dow,
Jr.

**DEFENDANT THOMAS J. DART’S, ZELDA WHITTTLER’S,
BRADLEY CURRY’S, NNEKA JONES TAPIA’S, AND MATTHEW BURKE’S
MOTION FOR LEAVE TO FILE A MOTION TO DISMISS
THE THIRD AMENDED COMPLAINT IN EXCESS OF FIFTEEN PAGES**

Defendants, Thomas J. Dart, Zelda Whittler, Bradley Curry, Nneka Jones Tapia, and
Matthew Burke (here “Defendants”), by and through their undersigned counsel, state as follows
as their *Motion for Leave to File a Motion to Dismiss the Third Amended Complaint in Excess of
Fifteen Pages*:

1. Pursuant to Local Rule 7.1, Defendants’ Motion to Dismiss the Third Amended
Complaint is not to exceed fifteen (15) pages, unless leave of court is granted to file a longer
brief.

2. Counsel for Defendants have tried to meet the Court’s 15-page limit in their
Motion, but given that Plaintiff’s Third Amended Complaint contains 147 paragraphs over 37

pages and eight legal counts pleading a variety of complex constitutional and statutory issues, counsel for Defendants have been unable to shorten their memorandum to the prescribed maximum limit of fifteen (15) pages.

3. Defendants' Motion to Dismiss the Second Amended Complaint totals twenty (20) pages.

4. Granting Defendants leave to file a 20-page brief will not prejudice Plaintiffs.

5. A copy of Defendants' Motion to Dismiss the Third Amended Complaint is attached here as Exhibit A.

WHEREFORE, Defendants, Thomas J. Dart, Zelda Whittler, Bradley Curry, Nneka Jones Tapia, and Matthew Burke, respectfully request that this Court enter an Order granting them leave to file their 20-page Motion to Dismiss the Third Amended Complaint, and for other and further relief as is appropriate.

Dated: December 21, 2018

By: /s/ Justin L. Leinenweber
Special State's Attorney

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CERTIFICATE OF SERVICE

I, the undersigned attorney, certify that I caused to be served the foregoing document by electronically filing the same with the Clerk for the U.S. District Court for the Northern District of Illinois, Eastern Division, a copy of which was then forwarded to each attorney of record by CM/ECF on December 21, 2018.

Dated: December 21, 2018

By: /s/ Ethan E. White

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